

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)	
)	No. CR-07-108-RHW
Plaintiff,)	
)	ORDER GRANTING DEFENDANT'S
v.)	MOTION TO RECONSIDER, AND
)	ORDER STAYING RELEASE UNTIL
JASON C. YOUKER, a/k/a Jason)	CLOSE OF BUSINESS, 9/10/07
C. Dunkin,)	
)	
Defendant.)	

At the September 6, 2007, hearing on Defendant's Motion to Reconsider, Assistant U.S. Attorney Earl A. Hicks appeared for the United States. Defendant was present with Assistant Federal Defender Robert Fischer.

The court finds the Defendant's grandmother, Dorothy Youker, who was present in court, is willing to reside with Defendant in East Wenatchee.

IT IS ORDERED the Motion to Reconsider (**Ct. Rec. 22**) is **GRANTED**. Defendant may be released on the following conditions:

1. The Defendant shall participate in a program of electronically monitored home confinement. The Defendant shall wear, at all times, an electronic monitoring device under the supervision of U.S. Probation. In the event the Defendant does not respond to electronic monitoring or cannot be found, U.S. Probation Officers shall forthwith notify the United States Marshals' Service,

ORDER GRANTING DEFENDANT'S MOTION TO RECONSIDER, AND ORDER STAYING RELEASE UNTIL CLOSE OF BUSINESS, 9/10/07 - 1

1 who shall immediately find, arrest and detain the Defendant. The
2 Defendant shall be responsible for all costs of electronic
3 monitoring. Except for court-related or case-related appearances
4 and 2 hours each week for attendance at spiritual services,
5 Defendant shall remain under home detention.

6 2. Defendant shall not commit any offense in violation of
7 federal, state or local law.

8 3. Defendant shall advise the court and the United States
9 Attorney in writing before any change in address.

10 4. Defendant shall appear at all proceedings and surrender as
11 directed for service of any sentence imposed.

12 5. Defendant shall sign and complete form A.O. 199C before
13 being released and shall reside at the address furnished.

14 6. Defendant shall remain in the Eastern District of
15 Washington while the case is pending. On a showing of necessity,
16 Defendant may obtain prior written permission to leave this area
17 from the United States Probation Office.

18 7. Defendant shall not possess a firearm, ammunition,
19 destructive device or other dangerous weapon.

20 9. Defendant is further advised pursuant to 18 U.S.C. §
21 922(n), it is unlawful for any person who is under indictment for a
22 crime punishable by imprisonment for a term exceeding one year to
23 ship or transport in interstate or foreign commerce any firearm or
24 ammunition or receive any firearm or ammunition which has been
25 shipped or transported in interstate or foreign commerce.

26 10. Defendant shall refrain from the excessive use of alcohol,
27 and the use or possession of a narcotic drug and other controlled
28

1 substances defined in 21 U.S.C. § 802, unless prescribed by a
2 licensed medical practitioner. Defendant shall undergo a substance
3 abuse evaluation, as directed by a United States Probation Officer,
4 and complete treatment indicated by the evaluation. Defendant shall
5 be responsible for the cost of testing, evaluation and treatment,
6 unless the United States Probation Office should determine
7 otherwise. The United States Probation Office shall also determine
8 the time and place of testing and evaluation and the scope of
9 treatment. Defendant shall submit to a regular urinalysis, or
10 related testing, as directed by a United States Probation Officer.

11 11. Defendant shall report to the United States Probation
12 Office before or immediately after his release and shall report as
13 often as they direct, at such times and in such manner as they
14 direct. Defendant shall contact his attorney at least once a week.

15 12. Defendant shall post a \$50,000 corporate surety bond, plus
16 a \$25,000 appearance bond, to be co-signed by his grandmother.

17 13. The Defendant shall not have contact, direct or indirect,
18 with witnesses in this matter.

19 **Defendant is advised a violation of any of the foregoing**
20 **conditions of release may result in the immediate issuance of an**
21 **arrest warrant, revocation of release and prosecution for contempt**
22 **of court, which could result in imprisonment, a fine, or both.**
23 **Specifically, Defendant is advised a separate offense is established**
24 **by the knowing failure to appear and an additional sentence may be**
25 **imposed for the commission of a crime while on this release. In**
26 **this regard, any sentence imposed for these violations is**
27 **consecutive to any other sentence imposed.**

1 **IT IS FURTHER ORDERED** the United States Marshal shall keep
2 Defendant in custody until notified by the District Court Executive
3 or judicial officer that Defendant has posted bond and/or complied
4 with all other conditions for release. Until such time, Defendant
5 shall be produced before the appropriate judicial officer at the
6 time and place specified.

7 **Defendant's release is stayed until the close of business,**
8 **September 10, 2007.**

9 DATED September 6, 2007.

10
11 S/ CYNTHIA IMBROGNO
12 UNITED STATES MAGISTRATE JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28